

Rep. Nadler, Sen. Boxer Reintroduce the Freedom of Choice Act

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WASHINGTON, D.C. – Congressman Jerrold Nadler (NY-08), Chair of the Judiciary Subcommittee on the Constitution, Civil Rights and Civil Liberties, along with Senator Barbara Boxer (CA) today reintroduced the "Freedom of Choice Act." The legislation would for the first time, codify the rights guaranteed under the Constitution by *Roe v. Wade*. His statement on the introduction of the legislation follows:

"I am pleased to join so many leaders in the pro-choice movement, Senator Boxer, and our colleagues, to introduce the Freedom of Choice Act.

"This legislation would, for the first time, codify the rights guaranteed under the Constitution by *Roe v. Wade*. It would bar government - at any level - from interfering with a woman's fundamental right to choose to bear a child, or to terminate a pregnancy. I want to thank Senator Barbara Boxer for introducing this legislation in the Senate and for her tireless efforts in defending a woman's right to choose.

"The introduction of the Freedom of Choice Act could not come at a more critical time. Thirty-four years after *Roe*, women's rights are under attack as never before: from the states, from the courts, and from the Congress.

"The threat is real, and it is not somewhere in the future.

"Just yesterday, the Supreme Court, upheld legislation banning an abortion procedure that many doctors believe is the safest for women under certain circumstances. The Supreme Court even acknowledged this fact, but they decided that Congress and the Courts know better than women and their doctors.

"But the Court's decision goes much further than that.

"Justice Ginsburg, in her dissent, put it succinctly. She called the majority's opinion 'alarming' and stated that, '[f]or the first time since *Roe*, the Court blesses a prohibition with no exception safeguarding a woman's health.' Further, she said, the federal ban 'and the Court's defense of it cannot be understood as anything other than an effort to chip away at a right declared again and again by this Court.'

"The Supreme Court has declared open season on women's lives and on the right of women to control their own bodies, their health and their destinies. Overturning a decision only a few years old, the Court has, for the first time since *Roe v. Wade*, allowed an abortion procedure to be criminalized.

"What has changed since the Court last considered nearly identical legislation? The facts haven't changed. The widely held opinion in the medical profession that this ban would endanger women hasn't changed. The Constitution hasn't changed.

"Only one thing has changed: Justice O'Connor retired and President Bush and a Republican Senate replaced her with a reliably anti-choice vote on the Supreme Court. It is clear today that the far-right's campaign to pack the Supreme Court has succeeded and that women and their families will be the losers.

"We can no longer rely on the Supreme Court to protect a woman's constitutional right to choose. This Supreme Court may have gone out of the business of protecting women's rights; it is time that Congress stand up to the challenge.

"Many members of Congress say they support preserving Roe v. Wade. This bill is a binding codification of that decision. It is time for members to step up to the plate and go on record in support of legislation that will provide meaningful protection for women.

"We must make sure that women are no longer at the mercy of a Supreme Court and politicians determined to destroy their fundamental rights.

"The decision to begin or end a pregnancy is one of the most personal decisions a woman can make. The choice to have an abortion must continue to be a personal one for a woman, not the government. Judgements about what is or is not medically appropriate must be left to a woman and her doctor.

"Prior to Roe, it is estimated that over one million women each year were forced to resort to illegal abortions and risked infection, hemorrhage, sterility and death. We cannot allow the court to turn back the clock. The Freedom of Choice Act will ensure that women will be able to make these personal decisions safely, legally and privately."

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